

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO**

STEVEN CASAUS,

Petitioner,

v.

Civ. No. 20-1269 WJ/KK

TIMOTHY HATCH,

Respondent.

**ORDER ADOPTING MAGISTRATE JUDGE'S
PROPOSED FINDINGS AND RECOMMENDED DISPOSITION**

THIS MATTER comes before the Court on the Magistrate Judge's Proposed Findings and Recommended Disposition (PFRD), filed February 27, 2025. (Doc. 42.) In the PFRD, Magistrate Judge Khalsa recommended denying Petitioner's *pro se* petition for federal relief under 28 U.S.C. § 2254 and dismissing the petition with prejudice. (*Id.* at 13.) Judge Khalsa notified the parties that they had 14 days from service of the PFRD to file any objections to the PFRD. (*Id.*) On February 28, 2025, Respondent filed his Notice of Non-Objection (Doc. 43) to the PFRD, and to this date Petitioner has not filed any objections. Because neither party has filed objections to the PFRD, they have waived their right to review of the proposed disposition. *See United States v. One Parcel of Real Prop.*, 73 F.3d 1057, 1060 (10th Cir. 1996).

Upon review of the record, I concur with Judge Khalsa's findings and recommendations and hereby **ADOPT** the Proposed Findings and Recommended Disposition (Doc. 42).

Petitioner's Application for a Writ of Habeas Corpus pursuant to 28 U.S.C. § 2254 by a Person in State Custody (Doc. 1) is **DENIED** and this matter is **DISMISSED WITH PREJUDICE**. In addition, because Petitioner failed to make a substantial showing that he has been denied a

constitutional right, the Court hereby **DENIES** a Certificate of Appealability. *See* 28 U.S.C. § 2253.

IT IS SO ORDERED.

/s/

HONORABLE WILLIAM P. JOHNSON
SENIOR UNITED STATES DISTRICT JUDGE